

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADMART AG, HELLER WERKSTATT)	
GESMBH, ANDRE HELLER and)	
STEFAN SEIGNER,)	
)	
Plaintiffs,)	
)	
v.)	Civ. No. 95-410-SLR
)	
STEPHEN and MARY BIRCH)	
FOUNDATION, INC.,)	
)	
Defendant.)	

O R D E R

At Wilmington this 22nd day of January, having conferred with counsel regarding the mandate of the United States Court of Appeals for the Third Circuit (D.I. 94);

IT IS ORDERED, consistent with said mandate, that:

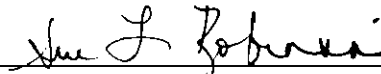
1. On February 15, 2007, in Vienna, Austria, the above identified parties shall simultaneous exchange the following:

a. Defendant, the Stephen and Mary Birch Foundation, Inc. ("defendant"), shall pay, in immediately available funds that cannot be interfered with in any way, to Admart AG, Heller Werkstatt Gesmbh, Andree Heller and Stefan Seigner (hereinafter "plaintiffs") \$3,841,045.19, plus the interest that sum has earned between May 31, 2004 and February 15, 2007, as well as the storage charges from May 31, 2004 to February 15, 2007.

b. Plaintiffs shall deliver to defendant the property constituting Luna Luna, including the artwork and the documentation consisting of the artists' declarations and the technical documentation ("passports").

2. Defendant is required to pay \$1 million to the plaintiffs, which sum shall be set off against any award by the arbitration panel constituted in 2004. Interest on the net amount shall be payable as per the formulation used in this court's order of October 6, 2004. (D.I. 86) The total sum described in this paragraph 2 shall be due within thirty days of the date of the arbitrators' award. In the interim, defendant shall continue to ensure that Thierry Ador maintains the interest bearing accounts described in his affidavit of April 29, 2004.

3. This case shall be administratively closed. However, the court shall retain jurisdiction over the action until such time as the arbitration described in paragraph 2 has ended and the payment required by paragraph 2 has been made. Upon motion by any party, the case shall be reopened and become an active case once again.


United States District Judge